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14 **UNITED STATES DISTRICT COURT**
15 **DISTRICT OF NEVADA**

16 In re:

17 CHARLESTON ASSOCIATES, LLC,
18 Debtor.

19 _____
20 CHARLESTON ASSOCIATES, LLC,
21 Plaintiff

22 v.

23 RA SOUTHEAST LAND COMPANY, LLC;
24 CITY NATIONAL BANK,
25 Defendants.

Case No.: 2:17-cv-03112-JCM

BK-S-13-10499-MKN

Adv. No.: 10-1452-MNK

**STIPULATION TO EXTEND
BRIEFING SCHEDULE**

(Sixth Request)

26 Pursuant to LR IA 6-1, LR IA 6-2, and LR 7-1, Appellee City National Bank (“CNB”)
27 and Appellant U.S. Bank National Association, as Trustee, Successor-in-Interest to Bank of
28 America, N.A., as Trustee, Successor by Merger to LaSalle Bank National Association, as
Trustee, for the Registered Holders of Bear Stearns Commercial Mortgage Securities, Inc.,

1 Commercial Mortgage Pass-Through Certificates, Series 2005-PWR7 (“U.S. Bank as Trustee”),
2 stipulate as follows:

3 1. On December 26, 2017, U.S. Bank as Trustee filed its Notice of Appeal [DKT
4 No. 1].

5 2. On January 22, 2018, the Court issued a minute order setting the briefing
6 schedule on the appeal [DKT No. 6].

7 3. On March 15, 2018 the Parties stipulated and agreed to extend the briefing
8 schedule to accommodate the facilitation of discussions between U.S. Bank as Trustee and New
9 Boca Syndications Group, LLC (“New Boca”), judgment debtor in the underlying adversary
10 action. [DKT No. 9].

11 4. On April 4, 2018, the Court granted the Parties’ third stipulation for extension of
12 time. [DKT No. 10].

13 5. On April 27, 2018, the Court granted the Parties’ fourth stipulation for extension
14 of time. [DKT No. 10], allowing U.S. Bank as Trustee and New Boca to continue to discuss
15 options that could eliminate the need for the instant appeal.

16 6. On June 21, 2018, the Court granted the Parties’ fifth request for an extension of
17 the briefing schedule as follows: [DKT No. 17]:

18 a. On June 8, 2018 U.S. Bank as Trustee filed its opening brief.

19 b. CNB’s answering brief is due by July 6, 2018.

20 c. U.S. Bank as Trustee’s reply brief is due by July 20, 2018.

21 7. The parties agree that CNB needs additional time to respond to U.S. Bank as
22 Trustee’s opening brief and agree to extend the briefing schedule as follows:

23 a. CNB’s answering brief is due by July 13, 2018.

24 b. U.S. Bank as Trustee’s reply brief is due by July 27, 2018.

1 8. U.S. Bank as Trustee and CNB seek this extension to the briefing schedule in
2 good faith and not for the purposes of delay. The parties note that most of the extensions
3 requested and granted to date were based on the parties' (and non-party New Boca's) effort to
4 engage in good faith settlement discussions.

5 Dated: July 5, 2018.

6
7 HUTCHISON & STEFFEN, PLLC

BALLARD SPAHR LLP

8 /s/ JOSEPH S. KISTLER

/s/ JOSEPH P. SAKAI

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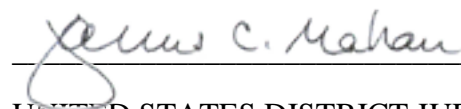
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18 *Attorneys for City National Bank*

Attorneys for U.S. Bank as Trustee

19 **ORDER**

20 **IT IS SO ORDERED:**

21 

22 UNITED STATES DISTRICT JUDGE

23 Dated: July 9, 2018

CERTIFICATE OF SERVICE

I certify that on this 5th day of July, 2018, I electronically transmitted a PDF version of the foregoing *Stipulation and Order to Extend Briefing Schedule* using the CM/ECF System, for filing and transmittal of a Notice of Electronic Filing to the CM/ECF Registrants.

/s/ Bobbie Benitez

An employee of Hutchison & Steffen, LLC